1890-041 Chancery Causes: A. R. Surgener vs. Dickinson Gobble
Lee Co.

CA - Debt
T - Property

To the Honorable John A. Kelly Judge of the Circuit court of Lee county Va.

Humbly complaining your orator A. R. Surgener would respectfully show your honor, that heretofore to wit, on the day of 188 your orator by a decree of your honor's court, recovered against Eve Dickinson Gobble, of said County, the sum of $47.06 with legal interest thereon from the 14th day of June 1881, until paid and $3.16 costs. No part of said decree has been paid your orator but is still due and owing to him. On the 8th day of April ~~29th~~ ~~May~~ 1884, your orator had his said decree docketed in the Clerk's office of the County Court of said County in the judgment lien docket, and on the 29th day of May 1885, an execution issued from the Clerks office of your honor's said Court, on said decree and was placed in the hands of Stokely Lawson deputy for R. D. Flanery Sheriff of said County for collection and on the 16th day of June 1885, was returned by said deputy Sheriff to said Clerks office with this return endorsed thereon, to wit "Not executed because no property could be found". Stokely Lawson D. S. for R. D. Flanery S. L. C."

A copy of said decree and the docketing of the same is herewith filed marked "A" and prayed to be considered as a part of this bill, and a copy of said execution together with the return thereon is herewith filed as part hereof marked "B".

Your orator will now show your honor that the said Dickinson Gobble is the owner of a tract or tracts of land

situated in said County on the waters of Black water adjoining the lands of

and containing Eighty acres, more or less the rents and profits of which will not in five years pay and discharge your orator's claim, and your orator being advised that his said decree is a lien upon said real estate. The object of this bill therefore is to enforce said lien against said tract of land, and your orator being without remedy at law and relievable only in a Court of equity, asks your honor to take charge of his cause and grant him relief. His prayer therefore is that Dickinson Wyldile be made the party defendant to this bill, and required to answer its allegations on oath; that on a final hearing a decree be rendered subjecting said land to the payment of your orators ~~said~~ lien, and that the same be sold or a sufficiency thereof to pay and satisfy your orator's said lien, and for general relief &c. May Spa issue &c.

Richmond & Orr for
Complainant

C $8.90 to Nov 1886
A. 15.00
$23.90
Estimate 6.00
$29.90
Cr 10.00 Mar 16th 1886.
$19.90

~~Auf.~~

C 11.35
A 15.00
$26.35

By A R Sheldon
July 3rd 1888 $51.25
on

A. R. Sargent
vs
Bill in Chancery.
Robinson & Goble.
1885. June Bill Filed.
" July Sp Eyd & Dekin
" Aug. D. N. Conf'd & Cause
set for hearing.
" Aug. Term Decree
" & continued.
Nov. Continued.
1886 Cont'd
1887 Cont'd
1888 & 1889 Cont'd
1890, Mr. Decree fine

To the Hon. John A. Kelly Judge of the Circuit Court of Lee County. Virginia

The Answer of Dickinson Gobble to a Bill filed in this Honorable Court against him by A R Surgener

Respondent says he supposes it is true that the plaintiff did obtain the decree against him of which he speaks in his said Bill, and it may be true that execution was issued thereon and returned as stated by the plaintiff, and it likewise true for aught this respondent knows that said decree was docketed in the judgment lien docket in the county court clerks office as stated by the Pltff

Respondent says it is also true that he is the owner of a small tract of land lying on Blackwater & he is informed that said judgment or decree creates a lien thereon:

But respondent says the plaintiffs statement that the rents and profits of his land will not in five years pay said debt or decree, is not true, but on the contrary respondent avers that the rents and profits of his said land will pay the full amount of the plaintiffs said decree in less than five years

And respondent having now answered as fully as he is advised it is material, prays that the pltffs bill be dismissed and respondent decreed his cost:

H J. Morgan for Respondent.

I do swear that the statements in the foregoing answer so far as made on my own knowledge are true, and so far as made on information derived from others I believe them true so help me God.

Dickinson his ✗ mark Gobble

Sworn to before me by Dickinson Gobble Aug. 27 1885. H J. Morgan Comr.

Dickinson Gobble

vs. } Answer

A. R. Surgeuner

A. R. Surgener Pltff
against — } In chancery
Dickinson Gobble Deft

It being admitted by plaintiff's counsel that the debt & costs in this cause have been fully settled, & without renting the ~~[illegible]~~ defendants land, it is ordered that this cause be stricken from the docket.

A. R. Burgener

vs } Decree Final

Dickinson Gaible.

Entd Chry

O B 244

April 1st 1890.

J. A. G. Hyatt

Enter this Decree.

H. S. K. M.

April 1st 1890.

A. R. Surgener. Plaintiff
against — } In chancery.
Dickinson & Gibble Defendants

On motion of the defendant by his counsel the decree entered in this cause on yesterday is set aside, and ~~thereupon this cause came~~ ~~therewith~~ ~~on to be heard upon the bill and exhibits~~ on further motion of the defendant leave is granted him to file his answer, which is accordingly filed, to which the plaintiff replied generally; ∴ and on consideration thereof it is adjudged ordered and decreed that the plaintiff recover against the defendant $50.00 with legal interest on $47.06 part thereof from the 14th day of June 1881, until paid, and the costs of this suit and unless the same is paid within 20 days from the rising of this court, then James W Orr who is hereby appointed a commissioner for the purpose will proceed, on some court day at the front door of the court house of this county to rent the land in the bill mentioned for the shortest period it will rent for a sum sufficient to pay this decree & expense of renting, after having advertised the time and place of renting for at least 30 days on the court house door of this county and in the vicinity of said land, said commissioner will require the costs of this suit and expense of renting paid in hand and for the

∴ And thereupon this cause came on to be heard upon the bill & exhibits thereunto, ~~and~~ the answer of the defendant and upon motion therefor and was argued by counsel.

residue he will take bonds from the person renting bearing interest from date, and payable to said commissioner in equal annual installments at the end of the year, But before acting under this decree said Commissioner will execute bond before the Clerk of this Court in the penally of $150.00 conditioned for the faithful discharge of the duties of Commissioner in this cause, and will report his action to a future term of this Court, and the cause is continued.

A. R. Surgener
vs } Decree No 2
} to wit.
Dickinson Mobile.

Compared Page 471
J. R. Gibson D.C.

Entered this decree
Aug 29th 1885.
J. A. K.

A. R. Burgener. Pltffs } In Chancery.
against-
Dickinson Gohlile Deft.

This cause came on this day to be heard, upon the bill and exhibits therewith, and was argued by counsel, and the defendant having been duly served with process in the cause and failing to appear and plead or answer the bill is taken for confessed against him, On consideration thereof it is adjudged ordered and decreed that the plaintiff recover against the defendant $50.22 with legal interest on $47.06 part thereof from the 14th day of June 1881, until paid, and the costs of this suit, and unless the same is paid within 20 days from the rising of this court, then James W Orr who is appointed a commissioner for the purpose will proceed, on some court day, at the front door of the court house of this county, to sell at public auctry to the highest bidder on a credit of six, twelve & eighteen Months, the land in the bill mentioned, or so much thereof as may be necessary to satisfy this decree, except so much as may be necessary to pay the costs of this suit and expense of sale will be required to be paid in hand, and for the residue, bonds with approved security, will be required of the purchaser, bearing interest from date, but before doing under this having first advertised the time & place of sale for at least 30 days prior thereto on the front door of the court house of this County & in the vicinity of said land.

decree, said Commissioner will execute bond before the Clerk of this court in the penalty of $150.00 conditioned for the faithful discharge of his duties as such Commissioner, and will report his action to a future term of this court, and the cause is continued.

A. R. Burgener
vs
Decree No 1.
B.
Richmond Chronicle

Contract Page 245-7
J. R. Gibson D.C.

Entered this decree
Aug 27th 1885.
J. A. K.

1884 Mch 27th

A. R. Surgener of Lee Co. Va Pltff.
vs
Dickinson Gobble of Lee Co. Va Dft
} In Chy

Decree for $47.06 with legal interest thereon from the 14th day of June 1881 till paid & the costs $8.88 Co 6.25

Docketed Apl 8th 1884

A copy
Teste John R. Gibson clk

A. R. Surgener

vs } Judgment

Dickinson Gobble

"A"

Dungener vs Gohlke. Chy.

Dr. June 14th 1881.

Int on $47.06 from June 14/81 to Jany 18th 1887.		$50.00
		15.80
	Dr & Int.	$65.80
Costs of Chy Suit	$29.90	
Com' on amt	4.78	
(Dawn)	$34.68	
Note for (at end of lease)		$65.80

Dungeness
W.S. 3 Calendar
Isabella

Pr + Int $65.80
Costs & Cons 34.68
$100.48
Cr (Costs) 10.00
Mr 16/86 $90.48
Sept 17/86. 16.00
74.48
Cr Jany 24.00 Should be $25.00
18/87 50.48
2.52 Int to
$53.00 Recr 5/87
1.00 off.
$52.00
1.50 Int to June 5/88.
$53.50
25 Int to July 3/88
$53.75
57.25
$2.50
Costs 2.56
$5.06
Rd $5.00 in full
Mr 31st 1890.

Know all men by these presents that we James W. Orr and

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of One Hundred & Fifty ($150.00), for the true payment thereof unto the said Commonwealth, we each bind ourselves heirs &c, and we as to this bond waive our Homestead exemption witness our hands and seals this - day of January 1886.

The conditions of the above bond is such that whereas the above bound James W. Orr was appointed a commissioner to rent certain lands, in the Chancery Cause now pending in Lee circuit court, of A. R. Surgener vs Dickenson Gobble.

Now therefore should the above bound Orr as Comr. faithfully perform the duties assigned him by said decree and justly & truly account for such sums of money as he may receive by said action, then this obligation to be void, otherwise to remain in full force, and virtue.

James W Orr (Seal)
Charles A Russell (Seal)

A. R. Surgener
& Comrs
vs } Bond
Dickenson Gobble

Filed January 1880
J. A. G. Hyatt CC

The Commonwealth of Virginia,

To the Sheriff of Lee County--Greeting:

WE COMMAND YOU to summon Dickinson Gobble

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in July next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against him, by A. R. Surgener

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this 19 day of June, 1886, in the 107 year of the Commonwealth.

J. A. G. Hyatt, Clerk.

A Copy---Teste:

(R. 8 C)

A. R. Surgeoners
vs } Spa. in Chcy
Dickinson Gobble

To July Rules 1885.

I accept legal service of this Spa in Chancery June 19th 1885.
Teste Dickinson his ✗ mark Gobble
J. A. G. Hyatt,